

Deposition of Richard Kyle Wilson 8/1/2016

Bridges, et al v. Wilson, et al 16-CV-126-GKF-PJC

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IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

(1) JANELLE BRIDGES, et al., )  
Plaintiffs, )  
vs. ) No. 15-CV-126-GKF-PJC  
(1) KYLE WILSON, in his )  
individual and official )  
capacity, )  
(2) MIKE REED, in his )  
individual and official )  
capacity, )  
(3) MAYES COUNTY, )  
Defendants. )

DEPOSITION OF RICHARD KYLE WILSON, a  
witness called on behalf of the Plaintiffs, on the  
1st day of August, 2016, at 1 Court Plaza,  
commencing at 1:28 p.m., in the City of Pryor,  
County of Mayes, State of Oklahoma, before the  
undersigned, Marlene Percefull, a Certified  
Shorthand Reporter in and for the State of Oklahoma.

\_\_\_\_\_  
Marlene Percefull, CSR

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EXHIBIT 1

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1 (Whereupon, the deposition began at  
2 1:28 p.m.)

RICHARD KYLE WILSON.

having first been duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

## **DIRECT EXAMINATION**

BY MR. MORTENSEN:

Q Could you please state your name for the record?

A Richard Kyle Wilson

Q Mr. Wilson, how do you like to be called: Deputy  
Wilson, Mr. Wilson?

A Kyle is fine.

Q Okay, Kyle. Hopefully, I won't get too many objections calling you "Kyle" but, as you know, this is a rather informal setting. We're in a conference room at the county courthouse. A couple of people are present, Joe Norwood with me. Again, my name is Thomas Mortensen. I represent the Plaintiffs in this case, the Bridges family, regarding an incident involving the shooting death of Shane Bridges on New Year's Eve; do you recall that event?

A Yes, sir.

24 Q Okay. Have you ever given a deposition before?

25 A No.

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1 A The — burnout, small town, wanted a change. I had  
2 become very busy with a side job that I was doing  
3 construction-wise.

4 Q Okay.

5 A So I started doing that full time.

6 Q What kind of construction?

7 A About anything, remodel work to building housing  
8 additions to excavation work.

9 Q Okay. While at Langley Police Department, did you  
10 ever have an instance where you had to arrest  
11 somebody?

12 A Yes.

13 Q On how many occasions?

14 A A lot. I have no idea.

15 Q Okay. Had you ever had an occasion where you had to  
16 use force of any kind on an arrestee or anybody  
17 else?

18 A I would say that "of any kind" would be every arrest  
19 made, most.

20 Q Fair enough. Could you go through maybe several  
21 different levels of force that you would have to use  
22 during an arrest so that me and you could have kind  
23 of a common understanding of what we're talking  
24 about?

25 A It could be as simple as having, when you handcuff

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1                   somebody, you're touching them so, I mean, that's —  
2                   some people consider that a level of force.

3     Q    Okay.

4     A    Then, you know, having to take somebody down to the  
5                   ground that's not being cooperative.

6     Q    Okay.

7     A    I don't remember using any other force greater than  
8                   having to take somebody down to the ground —

9     Q    Okay.

10    A    — in my career.

11    Q    Did you have stun guns there?

12    A    Yes.

13    Q    Did you ever use a stun gun on anybody, taser?

14    A    Not there. I attempted to use my taser once. I was  
15                   one of the first ones in the State of Oklahoma to be  
16                   certified to use a taser. I was actually a taser  
17                   instructor.

18    Q    Okay. Where at?

19    A    Where at?

20    Q    Taser instructor where?

21    A    I actually received that training from Taser  
22                   International itself in Oklahoma City.

23    Q    Okay. Was that before or after this shooting event?

24    A    That was in the '99, 2000-ish, somewhere around  
25                   there.

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1 Q Okay.

2 A It was before Tulsa, Oklahoma City, any of them had  
3 tasers.

4 Q Did you use a taser at Langley?

5 A I carried a taser.

6 Q Did you ever use one?

7 A I pulled it out but I've never -- I don't recall  
8 ever deploying, actually using it on a suspect.

9 Q Okay. Did you have mace or pepper spray?

10 A Yes.

11 Q Have you ever used mace or pepper spray?

12 A In the jail in Tulsa County.

13 Q Okay. What about at Langley?

14 A Unless it was on a dog or something, not on a  
15 person. I don't recall ever using pepper spray on  
16 anybody.

17 Q Did you ever, at Langley, brandish your firearm and  
18 point it at anybody?

19 A Yes.

20 Q Okay. On how many occasions?

21 A I have no idea.

22 Q More than ten or less than ten?

23 A I have no idea. I don't know how to put a number on  
24 that.

25 Q Was that a common thing to brandish a firearm?

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1 A It would depend on the call.

2 Q Okay. And when I say "brandishing a firearm," I  
3 want to make sure that we have a common definition  
4 here. What do you consider "brandishing a firearm?"

5 A Either coming out with a long gun or taking it out  
6 of the holster.

7 Q Okay. And why don't we go a step farther and let's  
8 say "brandishing" may be pulling it out and making  
9 it available, pointing it at somebody might be  
10 something different?

11 A Yes.

12 Q So how many times do you think you brandished a  
13 firearm and pointed it at an individual?

14 A I have no idea.

15 Q Okay. Is that something that you would document as  
16 a part of your duties at Langley Police Department?

17 A No, if it did not escalate from there, no.

18 Q Okay. Is there a way for me to research the exact  
19 number of times that you brandished a firearm and  
20 pointed it at somebody?

21 A No, I could not think of one.

22 Q All right. Would you say that you brandished and  
23 pointed a firearm more than 100 times or less than  
24 100 times?

25 A I have no way of putting a number on it of any kind.

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1 Q Okay. I know you don't have, and I'm not going to  
2 be exact with you, I just kind of want your best  
3 guess. I'm not going to hold you to an exact number  
4 but best guess, more or less than 100 times?

5 A I would probably say less.

6 Q Okay.

7 A But that would be a guess.

8 Q Fair enough. I'm not going to hold you to that.  
9 All right. And when I say it on the record, I'll  
10 say it in front of anybody, too. I'm not going to  
11 hold you to that number, all right, just get a fair  
12 number. Could you describe your -- a common  
13 instance throughout these times that you did that  
14 where you would brandish and point a firearm at  
15 somebody?

16 A Felony stops, building searches, searching looking  
17 for a murder suspect, searching inside a building  
18 for any high risk, you know, for serving search  
19 warrants.

20 Q Right. And you happen to be in a building with a  
21 gun drawn out and if somebody happened to step in  
22 front of you that you're kind of pointing it at them  
23 and although you didn't mean to point it at that  
24 exact individual at that exact time, you were doing  
25 that for your safety, right?

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1 A That's possible, right.

2 Q Sweeping through a building and stuff like that?

3 A (Nods head.)

4 Q Felony car stops, sweeps of buildings, any other  
5 instances?

6 A Not that I can think of off the top of my head, no.

7 Q Okay. At Langley Police Department, were there ever  
8 any citizen complaints filed or alleged against you?

9 A Not that I know of.

10 Q All right. Throughout your time in your position as  
11 a law enforcement officer, has anybody filed a  
12 complaint or grievance or alleged that you acted  
13 inappropriately in any fashion?

14 MR. GEE: Object to the form.

15 A I can only think of one.

16 BY MR. MORTENSEN:

17 Q And when was that?

18 A Now that you say that. A couple years ago maybe. I  
19 don't know if he actually filed a complaint. I know  
20 he called up to the sheriff's department and made a  
21 complaint.

22 Q Okay. And what sheriff's department?

23 A Here.

24 Q The Mayes County Sheriff's?

25 A Yes.

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1 Q All right.

2 A But he also called and complained about everybody he  
3 had contact with in law enforcement.

4 Q That happens sometimes. What was his specific  
5 complaint with you?

6 A Had to do with something about taking his children  
7 from him, which I actually didn't do. DHS took his  
8 children from him, I was just there.

9 Q Okay. Do you know how that complaint was resolved  
10 with the Mayes County Sheriff's Office?

11 A I mean, it was an unfounded complaint. I remember  
12 the sheriff asking me about it and I explained to  
13 him what happened.

14 Q Okay. And that's a good subject to kind of broach  
15 into. If a complaint were to come into Mayes County  
16 Sheriff's, who would typically respond to that  
17 complaint, talk with the citizen and talk with you?

18 A It would be one of the supervisors.

19 Q Okay. You said in this instance, the sheriff  
20 actually had a discussion with you about it?

21 A Yes.

22 Q Was that typical?

23 MR. GEE: Object to form.

24 A That's the only one I can remember that I've ever  
25 had so I don't know if it's typical or not.

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1 BY MR. MORTENSEN:

2 Q Okay. Would you still, to this day, call off  
3 backup?

4 MR. GEE: Object to the form.

5 A I would say "no," that if backup was coming, I  
6 wouldn't cancel backup until the situation was under  
7 control. I had already been there and the situation  
8 was under control and no longer needed them. At any  
9 rate, he never would have got there in time  
10 regardless because he didn't cancel, he kept coming.

11 BY MR. MORTENSEN:

12 Q Have you ever been a party to any civil litigation  
13 before, whether that's a lawsuit or protective order  
14 or anything like that?

15 A I've served a lot of protective orders but I haven't  
16 personally been, no.

17 Q Any criminal cases, ever been arrested before?

18 A Yes.

19 Q For what?

20 A A DWI that was dropped.

21 Q Right. Could you tell the record about when that  
22 was and what county?

23 A I was like 18, barely old enough to go to jail and  
24 it was here in Mayes County.

25 Q All right. Is there a reason why you didn't list

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1 that on your CLEET application?

2 A Because the charges were all dropped.

3 Q Okay. But that was as a result of a probationary  
4 sentence, correct?

5 MR. GEE: Object to the form.

6 A No. I believe it was just dropped.

7 BY MR. MORTENSEN:

8 Q You didn't enter a plea in that case?

9 A To my recollection, it was just all dropped.

10 Q Was it dropped after you went to court or before you  
11 went to court?

12 A I don't ever remember going to court for it.

13 Q Did you have an attorney?

14 A Yes

15 Q Who was that attorney?

16 A. Carl Longmire

17 Q And did he arrange some kind of deal for a reduced  
18 plea on that case?

19 A To my best recollection, it was just dropped. I  
20 don't -- I don't know.

21 Q Okay. Have you ever been suspended from any law  
22 enforcement position or reprimanded?

23 MB GEE: Object to form

24 A I don't believe I've ever been -- I don't recall  
25 ever being reprimanded. My certification was